

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	§	
Jan Ove Gderde et al.	§	
	§	Group Art Unit: 3628
Serial No.: 10/559,368	§	
	§	
Confirmation No.: 5655	§	Examiner: Igor N. Borissov
	§	
Filed: June 21, 2006	§	
	§	
For: METHOD AND A SYSTEM FOR	§	
AUTOMATIC MANAGEMENT	§	
OF DEMAND FOR NON-	§	
DURABLES	§	

MAIL STOP PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

RENEWED PETITION UNDER 37 CFR § 1.137(b)

In response to the Decision of the Office of Petitions mailed on December 16, 2009, having a period for response expiring February 16, 2010, please reconsider the Petition for reasons discussed below. Although Petitioner believes there are no fees due in connection with this renewed petition since the required fees have been paid with the petition filing of October 22, 2009, the Commissioner is hereby authorized to charge counsel's Deposit Account No. 20-0782/BRYN/0009/WBP for any other fees, including extension of time fees, required to make this submission timely and acceptable to the Office.

Remarks begin on page 2 of this paper.

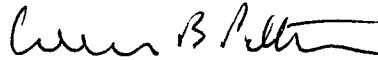
REMARKS

The decision states that the petition filed on October 22, 2009 was improperly signed in that the petition was signed by only one of the two listed inventors (Jan Ove Gderde). In response, Applicants are submitting this renewed petition as a request for reconsideration and a petition form PTO/SB/64 signed by the other inventor (Khoi Tien Vu). The other required documents for the petition have been submitted on October 22, 2009 and are incorporated by reference as part of this renewed petition.

Conclusion

In view of the attached and previously submitted documents, Applicants respectfully request a decision to grant the petition and revival of this application.

Respectfully submitted,



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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

First named inventor: VU, KhoiApplication No.: 10/559,368-Conf. #5655Art Unit: 3628 Filed:Filed: June 7, 2004Examiner: Igor N. BorissovTitle: METHOD AND A SYSTEM FOR AUTOMATIC MANAGEMENT OF DEMAND FOR NONDURABLES

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional

1. Petition Fee☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Application claims small entity status. See 37 CFR 1.27.☐ Other than small entity-fee \$ _____ (37 CFR 1.17(m))**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in

the form of _____ (Identify type of reply):

☒ has been filed previously on _____.☐ Is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____.

☐ has been paid previously on _____.☐ Is enclosed herewith.

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Khoi Vu
Signature

January 12, 2010
Date

Khoi Vu
Type or Printed name

Registration Number, If applicable

1090 Walnut Wood Cl.,
Address

Telephone Number

San Jose, CA 951223177
Address

- Enclosures:
- ☐ Fee Payment
 - ☐ Reply
 - ☐ Terminal Disclaimer Form
 - ☐ Additional sheets containing statements establishing unintentional delay
 - ☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- ☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

Date

Signature

Typed or printed name of person signing certificate